

REMARKS

This response is to the Office Letter mailed in the above-referenced case on 03/23/2008. Claims 19-23 are presented for examination.

Merit Rejections

Claims 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinz (U.S.Pub-20050070282) in view of Tiliks et al. (U.S.Pub-20070121855).

Examiner's rejection

Regarding claim 19, Hinz teaches in a telephone system having a service control point (SCP), a method for call treatment comprising:

(a) configuring by a user call treatment locations, other than standard call delivery ([0011]), for use by the system based on time-of-day (TOO) at the user's current location ([0011]-[0015]);

(b) providing by the user to the system an access code (not show) ([0011], [0028]-[0029] the message may prompt the calling party of mobile station 12 to indicate in a specified manner (saying or dialing a specified response) that the call is to be routed or that the calling party wishes to leave a message for the called party);

(c) upon receiving a call placed by a caller for the user ([0011]-[0015]), determining if call treatment options apply ([0011]), and imposing the constraints ([0011]-[0015]); and

Hinz fails to specifically disclose an access code, and (d) in the event the caller enters the access code, routing the call back to standard call delivery.

However, Tiliks teaches an access code (fig.2, PIN), and (d) in the event the caller enters the access code, routing the call back to standard call delivery (fig.2, [0092]-[0093]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Tiliks to Hinz to provide a

method for implementing call restrictions and personal identification number for bypassing call restrictions.

Applicant's response

Applicant herein amends the independent claims, above, to specifically recite an emergency access code is provided by the user, subscriber or called party. The caller, knowing the access code, may use the code in an emergency to contact the user, subscriber or called party, thereby bypassing TOD restrictions imposed by the user, subscriber or called party.

The Examiner relies upon the art of Tiliks to teach applicant's claimed access code.

Applicant points out that the art of Tiliks has a filing date of 11/01/06, which is well after the filing date of the present application. Applicant acknowledges the Tiliks application is a continuation of U.S. patent number 07/155,001 published 04/24/2003, 8 months prior to the filing date of applicant's invention. Therefore, only the subject matter of the parent patent of Tiliks can be used in the rejection of applicant's invention.

Applicant argues that the system of Tiliks provides a system for restricting the completion of calls from callers having restricted phone numbers, not restricting all calls according to time of day, as claimed [0018]. Tiliks teaches identification of a restricted number by determining AIN, for example, of the caller. The caller may then enter a PIN, provided by the system, in order to bypass the restriction.

Applicant points out that if the caller calls from an originating AIN, other than the phone number specifically restricted, the call will be completed to the subscriber. In applicant's invention, all calls are restricted according to TOD and an emergency access code may be provided to certain callers, as determined by the subscriber, wherein the caller may use the access code in an emergency to contact the subscriber. Further, applicant argues that in applicant's invention the subscriber provides the access code and controls distribution of said access code.

Summary

Applicant believes that claims 19-23 are patentable, as amended and argued above.

Applicant respectfully request reconsideration and that the case be quickly passed to issue. If there are any fees due beyond any fees paid with the present application and amendment, such fees are authorized to be deducted from deposit account 50-0534, and if any time extensions such extensions are petitioned, and fees authorized to be deducted from deposit account 50-0534.

Respectfully submitted,
S. Michael Perlmutter

By */Donald R. Boys/*
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755